

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Long Painting Company :
Plaintiff(s), :
: 17 Civ. 9975 (KBF)
-v-
General Electric Company and :
Alstom Renewable US LLC :
Defendant(s). :
----- X

KATHERINE B. FORREST, District Judge:

The parties propose the following schedule for this matter:

1. All parties / consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.¹
2. Amended pleadings may not be filed, and no party may be joined, without leave of Court more than 20 days after the filing of this Order or the filing of a responsive pleading, whichever occurs first.
3. Close of fact discovery: October 1, 2018. **[within 4 months unless the case is particularly complex]**
December 3, 2018
4. Close of expert discovery: October 26, 2018. **[25 days after the close of fact discovery; the parties are to negotiate interim dates regarding expert witnesses]**

The parties contemplate experts in this matter for the following subject(s):

5. **[For F.L.S.A. actions only]** Plaintiff(s) / anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

¹ If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

Section 216(b) proposed briefing schedule:

Opening: _____ [30 days after initial conference]
Opp'n: _____ [21 days after opening brief]
Reply: _____ [7 days after opposition brief]

6. The parties [do / do not] anticipate making dispositive motions.

The contemplated dispositive motion(s) is/are a motion(s)

Both parties may make dispositive motions

Proposed briefing schedule:

← Opening: October 15, 2018 [no later than item 3]
← Opp'n: November 5, 2018 [21 days after opening brief]
← Reply: November 12, 2018 [7 days after opposition brief]

Last dates to file; motions may be brought at any time.

7. Trial [will / will not] be before a jury.²

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 7-10.

8. The next status conference is set for 5/7/18 at 1pm. (telephonic)

9. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due:

10. The Final Pretrial Conference ("FPTC") is set for _____ at _____.

Motions in limine are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies.)³

11. Trial in this matter shall commence on 3/19/19. Trial is anticipated to take 1 [days / weeks].

Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).

SO ORDERED.

Dated: New York, New York

3/1/18, 2018

KB. For
KATHERINE B. FORREST
United States District Judge

² Checking this box does not constitute a formal jury demand under Fed. R. Civ. P. 38(b). It serves a purely administrative function.

³ Deadlines for motions in limine and Daubert motions are generalized and subject to change. The parties may request modified schedule if desired.